

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FAIRFIELD,

Plaintiff(s),

vs.

BROADWAY MOTORS,

Defendant(s).

No. C 05-1231 MEJ

ORDER GRANTING DEFENDANT'S
REQUEST FOR EXTENSION OF TIME TO
MEET AND CONFER;

ORDER FOR PLAINTIFF TO FILE A
CONSENT/DECLINATION FORM NO
LATER THAN JULY 29, 2005.

On July 7, 2005, defendant Broadway Motors ("Defendant") requested an extension of time for parties to meet and confer regarding: initial disclosures, early settlement, ADR process selection, and discovery plan. Defendant sent several letters to counsel for plaintiff Barnabus Fairfield ("Plaintiff"), in order to comply with Local Rules regarding the above named issues. However, Plaintiff's counsel has not responded to any of the letters.

Moreover, under Civ. L.R. 6-3(c), any opposition to motion to change time must be filed within three days after receiving the motion. As Defendant sent a copy of the July 7, 2005 letter to Plaintiff's counsel, it is presumed that it was received by Plaintiff. In addition, this Court telephoned Plaintiff's counsel on July 11, 2005. As of the date of this order, there has been no response from Plaintiff's counsel. As such, Defendant's request is hereby GRANTED. Parties shall meet and confer regarding the initial disclosures, early settlement, ADR process selection, and discovery plan, **NO LATER than August 12,**

1 **2005.**

2 Upon review of the record in this action, the Court notes that Plaintiff has not filed a written consent
3 to Magistrate Judge James' jurisdiction or request for reassignment to a United States District Court judge
4 for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for
5 all purposes including trial. In accordance with Title 28, U.S.C.
6 § 636(c), the Magistrate Judges of this District Court are designated to conduct any and all proceedings in
7 a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of
8 the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the
9 United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other
10 judgment of a district court.

11 You have the right to have your case assigned to a United States District Judge for trial and
12 disposition. Accordingly, Plaintiff shall inform the court, by way of the enclosed form, whether he consents
13 to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial.
14 Plaintiff shall inform the Court as soon as possible, but no later than **July 29, 2005.**

15 IT IS SO ORDERED.

16 Dated: July 14, 2005

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19 MARIA-ELENA JAMES
20 United States Magistrate Judge
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